

IC 33-34-6

Chapter 6. Facilities and Personnel

IC 33-34-6-1

Courtroom and office

Sec. 1. The township trustee shall provide a courtroom for each division and an office for each judge in a convenient location within the township that has:

- (1) adequate access;
- (2) sufficient parking facilities;
- (3) a separate and appropriate courtroom;
- (4) proper space and facilities for the bailiff, clerks, and other employees; and
- (5) enough room for files and supplies.

As added by P.L.98-2004, SEC.13.

IC 33-34-6-2

Supplies and maintenance

Sec. 2. A township shall:

- (1) furnish all:
 - (A) supplies, including all blanks, forms, stationery, and papers of every kind, required for use in all cases in the township division of the small claims court; and
 - (B) furniture, books, and other necessary equipment and supplies; and
- (2) provide for all necessary maintenance and upkeep of the facilities where court is held.

As added by P.L.98-2004, SEC.13.

IC 33-34-6-3

Clerks

Sec. 3. Each township shall provide an appropriate and competitive salary of at least five thousand six hundred dollars (\$5,600) for the number of clerks for the small claims court sufficient to:

- (1) operate efficiently; and
- (2) adequately serve the citizens doing business with the court.

As added by P.L.98-2004, SEC.13.

IC 33-34-6-4

Constable; election; deputies; compensation

Sec. 4. (a) The voters of each township having a small claims court shall elect a constable for the small claims court at the general election every four (4) years for a term of office of four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. The ballot must state the:

- (1) name of the candidate; and
 - (2) court for which the candidate is to serve.
- (b) Each small claims court shall have a constable who:
- (1) acts as the bailiff of the court;

- (2) serves the court's personal service of process;
 - (3) has police powers to:
 - (A) make arrests;
 - (B) keep the peace; and
 - (C) carry out the orders of the court;
 - (4) must meet the qualifications prescribed by IC 3-8-1-31;
 - (5) is compensated for each process that is delivered to effect personal service when serving as the bailiff for the court;
 - (6) is responsible for:
 - (A) the preparation and mailing of all registered or certified service and is compensated for each process served by mail; and
 - (B) all the official acts of the deputies;
 - (7) is compensated solely from the service of process fees collected under IC 33-34-8-1; and
 - (8) may require a deputy to give a bond for the proper discharge of the deputy's duties for an amount fixed by the constable.
 - (c) The elected constable may appoint full-time and part-time deputies for assistance in the performance of official duties who:
 - (1) perform all the official duties required to be performed by the constable;
 - (2) possess the same statutory and common law powers and authority as the constable;
 - (3) must take the same oath required of the constable;
 - (4) are compensated solely from the service of process fees collected under IC 33-34-8-1; and
 - (5) serve at the pleasure of the constable and may be dismissed at any time with or without cause.
 - (d) If there is an:
 - (1) emergency; or
 - (2) inability of a constable to carry out the constable's duties;the judge may appoint a special constable to carry out the duties of the constable during the emergency or inability.
- As added by P.L.98-2004, SEC.13.*